



Miedel & Mysliwiec LLP

**MEMO ENDORSED**

February 3, 2020

Hon. Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: United States v. Kawain Nelson, 18-CR-454**

Dear Judge Failla,

Mr. Nelson is currently scheduled to be sentenced by Your Honor on February 18, 2020. With the consent of the government, I respectfully request an adjournment of sentencing. I am awaiting a number of letters and records from Mr. Nelson's family that I hope to present to the Court as part of my sentencing submission. I believe that such letters will shed a light on Mr. Nelson's life and personal characteristics that will prove most helpful to the Court in fashioning a reasonable sentence. I have been assured that I will have these documents within one to two weeks, and therefore respectfully request a brief adjournment. This constitutes a first request for an adjournment of sentence.

As noted, the government consents to the request, but both prosecutors on this case start trial on March 2<sup>nd</sup>, and therefore ask for a new sentence date, if one is granted, to be set for March 16 or later. During that week I am available March 17, 18, and the morning of March 19. I am also generally available during the following week.

Thank you very much for your consideration.

Respectfully submitted,

/s/

Florian Miedel  
*Attorney for Kawain Nelson*

cc: AUSA Sarah Krissoff  
AUSA Frank Balsamello

Application GRANTED. The sentencing hearing currently scheduled for February 18, 2020, is hereby ADJOURNED to March 16, 2020, at 3:00 p.m. in Courtroom 618 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York. Defendant's sentencing submissions shall be filed on or before March 2, 2020. The Government's sentencing submission shall be filed on or before March 9, 2020.

Dated: February 3, 2020 SO ORDERED.  
New York, New York



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE